Artificial Intelligence and Law
Syllabus – Winter 2024
Course Credit- 01
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Class timing: Wednesday 2:30 to 3:30 p.m.

Course Overview: The past ten years have seen tremendous technology advancements and societal adoption of artificial intelligence. AI is currently permeating practically every area of existence. Artificial intelligence (AI) software, which includes image analytics, automated risk assessment systems, and personalized recommender systems, is becoming more and more integrated into smart things like drones, smart cameras, voice assistants, and self-driving automobiles. AI is used for both creation (like "deepfakes") and classification (like "social sorting"). Not only is AI being regulated, but it's also being utilized more and more as a tool for regulation and enforcement. An overview of some of the key legal arguments concerning society's adoption of artificial intelligence is provided in this course. Four important themes in the course are:

1. *An introduction to AI. AI: What is it? How might artificial intelligence (AI) and information technology (IT) be used to manage and regulate society? What is the impact of artificial intelligence applications on several legal disciplines such as tort law, data protection, intellectual property, and constitutional law?*
2. *Data: input and output from AI's legal status. We talk about the legal position of input and output data—the data that enters and leaves AI models.*
3. *New AI-regulating EU tools and regulations. This covers the General Data Protection Regulation 2016/679 and the Copyright Directive 2019/790, in addition to legislative measures that are presently being developed as part of the EU's digital strategy, such as the Data Governance, Digital Services Act, and Digital Markets Act, the Data Governance Act and the Data Act.*
4. *AI in real-world applications. We go over a number of real-world applications of AI and the legal concerns they bring up.*

The goal of the course is to increase knowledge of the interaction between law and artificial intelligence in relation to both theoretical and practical legal issues. While Indian law is the course's primary focus, other international and state legal instruments are also covered where appropriate.

Learning Objectives: Recognize current concerns about artificial intelligence and machine learning governance.

Class Preparation: This semester, we will have seminars-style discussions in place of lectures. Although there isn't a lot of reading required, I do want everyone to have carefully studied the

assignments and be prepared for the discussion. Courses such as this one are made enjoyable by lively class discussions, and I hope we can all learn a great lot from each other.

Grading: Grades will be based on three things: engaged class participation (5%), a final paper (80%), and an in-class presentation of your paper idea (15%).

Class presentations will take up the last four of our meetings. The length of each presentation should be between ten and fifteen minutes, and afterward, there will be a thirty-minute class discussion. You must write and submit a one-page summary of the paper, as well as a suggested outline of the paper's divisions and arguments, in advance of your presentation. The outline ought to incorporate suggested primary and secondary sources. You have one week to submit the abstract and outline before your planned presentation. Presentation grades will be based on effort and completion rather than the final product of your work-in-progress or how well you show it.

The length of a paper must be at least 6,000 words, but not more than 8,000.

As mentioned above, an essential component of this course's design is participation in class discussions. Your participation score will therefore suffer if you consistently don't show up to our meetings or don't prepare.

Class Hours: I will be teaching on Wednesdays from 2:30 to 3:30 p.m. I can also set up several times for our meetings if necessary, and we can correspond via email.

Syllabus: This is a preliminary curriculum, broken down by subject. A revised syllabus with reading assignments for individual sessions will be distributed prior to the start of the semester. It's crucial to consider that updated syllabus to be draft as well. I will modify, add, or remove texts as needed throughout the semester to accommodate our evolving conversational topics.

This class will meet sixteen times (plus one additional half-hour review session) during the Winter Term.

Course Modules

Module I. What are our goals for artificial intelligence?

1. Class 1 – Jan. _ [Watch: The Minority Report, Spielberg (2002). Available on various streaming platforms.]

    a. Legal Personhood

    b. Extending beyond morality

Module II. AI: What is it and how does it operate?

1. Class 2 – Jan. _ [Read: Shane Ch. 1-2]

   a. "Algorithms," or "Artificial Intelligence"?

   b. What is AI already good at?

2. Class 3 – Jan. [Read: Shane Ch. 3, Ch.9; GPT-3]

   a. How does AI learn?

   b. AIs as inferential "black boxes."

Module III. Discrimination using algorithms

1. Class 6 – Feb. _ [Read: Shane, Ch. 7; Angwin, Larson, Mattu and Kirchner, Machine Bias; Northpointe, COMPAS Risk Scales (response) (read Executive Summary, Intro., Conclusion)]

   a. What does it mean for an algorithm to discriminate?

   b. Human v. robot discrimination: levels

2. Class 7 – Feb. [Read: Kleinberg, Ludwig, Mullainathan , and Sunstein,

  Discrimination in the Age of Algorithms (Blackboard) 138-51]

   a. Why do algorithms discriminate?

   b. Human v. robot discrimination: transparency

Module IV. Does algorithmic discrimination have a solution?

1. Class 8 – Feb. [Read: Kleinberg, et al. Discrimination in the Age of Algorithms pp. 152-64, Yang & Dobbie, Equal Protection Under Algorithms, pp. 346-48 (Blackboard); Kleinberg, Lakkaraju, Leskovec, Ludwig, and Mullainathan, Human Decisions and Machine Predictions, pp. 22-23 (Blackboard)]

   a. Equal data, equal treatment, or equal outcomes

2. Class 9 – Feb. [Read: Gillis & Spiess, Big Data and Discrimination, pp. 467- 70 (Blackboard); City of Richmond v. J.A. Croson Co. (O'Connor opinion only)]

   a. Legal hurdles for technical fixes

Module V. AI as juror, judge, and policy-maker

1. Class 10 – Feb. [Read: Salib, Artificially Intelligent Class Actions, Introduction, Part II.b.-II.e. (Blackboard)]

   a. Robo-jurors in the democratic process

2. Class 11 – Mar. [Read: Salib, Big Data Affirmative Action, pp. 3-30 (Blackboard)]

   a. Technical solutions to legal problems

Module VI. AI acting as your car driver and pilot

1. Class 12 – Mar. [Read: Lin, Robot Cars and Fake Ethical Dilemmas (Blackboard); Listen: 99% Invisible, Automation Paradox Parts One and Two]

   a. Robo-trolley problems

   b. Human – robot interactions

2. Class 13 – Mar. [Read: Shavell, Strict Liability Versus Negligence, pp. 1-9 (Blackboard); Price Waterhouse Cooper, Will Robots Really Steal our Jobs? (summary only) (Blackboard); Bernhardt, Beyond Basic Income: Claiming our Right to Govern Technology]

   a. If a robot runs you over, who pays?

   b. Should we let robots take our jobs?

Module VII. AI as an author of content

1. Class 14 – Mar. [Read: Shane Ch. 10; Schlackman, Who Holds The Copyright in AI Created Art?; Kim, AI Generated Inventions; Savage, Tapping Into the Drug Discovery Potential of AI; View: AI Art; Listen: AI Music] a. Intellectual property for robots?

2. Class 15 – Mar. 23 [View: Tom Cruise(?), Hao, Deepfake Porn is Ruining Women's Lives. Now the Law May Finally Ban It (Blackboard); Sunstein, Falsehoods and the First Amendment, pp. 388-96, 418-24 (Blackboard)]

   a. Deepfakes, misinformation, and revenge porn

Class Presentations

1. Class 18-23 – Mar. / Apr. 4, 6, 11, 13, 18, 20

In addition to the above information and class policies, here is some information that the University would like you to have:

Excused Absence Policy

Regular class attendance, participation, and engagement in coursework are important contributors to student success. Under these policies, students with excused absences will be provided with an opportunity to make up any quiz, exam or other work that contributes to the course grade or a satisfactory alternative.

Syllabus Changes

Due to the evolving nature of the AI, please note that the instructor may need to make modifications to the course syllabus and may do so at any time. Notice of such changes will be announced as quickly as possible through email.